

REMARKS

The Final Office Action mailed on November 28, 2008 has been reviewed. Claims 1, 4, 5, 9, 17, 22, 26, 28, 30, 32, 33, and 34 have been amended. Claims 1, 2, 4, 5, 7-10, 12, 13, 15-17, 20-22, 24-26, 28, and 30-34 are pending in this application.

Rejections Under 35 U.S.C. § 103

Claims 1, 4, 5, 7, 8, 9, 26, 28, 33, and 34 were rejected under 35 USC § 103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 4,849,993) in view of McCullagh et al. (U.S. Publication No. 2002/0022465).

In order to expedite prosecution, claim 1 has been amended to recite “wherein the processor is further coupled to receive a status message from a source of the reference clock signal indicative of a quality level of the reference clock signal”.

It is respectfully submitted that neither Johnson nor McCullagh teach this amended language from claim 1.

In order to expedite prosecution, claims 4, 5, 9, 26, 28, 33, and 34 have been amended in a similar manner as claim 1. Therefore, at least the same arguments set forth above with respect to the claim 1 apply to these claims as well.

Claims 7 and 8 depend from claim 5. Therefore, at least the same arguments set forth above with respect to claim 5 apply to these claims as well.

Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Claims 10, 12, 13 and 15 were rejected under 35 USC § 103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 4,849,993) in view of McCullagh et al. (U.S. Publication No. 2002/0022465) and further in view of Ham, III (U.S. Publication No. 2002/0080901).

Claim 10 recites, in part, “a receiver coupled to receive a communications signal and for recovering clock and data signals and a status message therefrom”.

Applicant respectfully submits that the Final Office Actions fails to set forth a prima facie showing of obviousness since nowhere does the Final Office Action explain

how any of the cited references teach or suggest “a receiver coupled to receive a communications signal and for recovering ... a status message therefrom” as recited in claim 10 of the present application. The Final Office Action refers to the rejection of claim 1, but this language is not set forth in claim 1.

Claim 12 recites, in part, “a receiver coupled to receive a communications signal and for recovering clock and data signals and a status message therefrom”. Claim 15 recites, in part, “a receiver coupled to receive a communications signal and for recovering clock and data signals and a status message therefrom.”

Therefore, Applicant respectfully submits that the Final Office Actions fails to set forth a prima facie showing of obviousness for substantially the same reason as set forth above with respect to claim 10.

Claim 13 depends from claim 12. Therefore, at least the same arguments set forth above with respect to claim 12 apply to this claim as well.

Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Claim 16 was rejected under 35 USC § 103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 4,849,993) in view of McCullagh et al. (U.S. Publication No. 2002/0022465) and further in view of Ham, III (U.S. Publication No. 2002/0080901) and Baydar et al. (U.S. Publication No. 2002/0097743).

Claim 16 of the present application recites, in part, “a receiver coupled to receive a communications signal and for recovering clock and data signals and a status message therefrom”.

Applicant respectfully submits that the Final Office Actions fails to set forth a prima facie showing of obviousness since nowhere does the Final Office Action explain how any of the cited references teach or suggest “a receiver coupled to receive a communications signal and for recovering ... a status message therefrom” as recited in claim 16 of the present application. The Final Office Action refers to the rejection of claim 1, but this language is not set forth in claim 1.

Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Serial No.: 10/087,610

Filing Date: 3/1/2002

Attorney Docket No. 100.152US01

Title: DIGITAL PLL WITH CONDITIONAL HOLDOVER

Rejections Under 35 U.S.C. § 102

Claims 17, 20, 21, 22, 24, 25, 30, 31 and 32 were rejected under 35 USC § 102(b) as being anticipated by Johnson et al. (U.S. Patent No. 4,849,993).

In order to expedite prosecution, claim 17 has been amended to recite “monitoring a status message from a source of the reference clock signal indicative of a quality level of the reference clock signal”.

It is respectfully submitted that Johnson fails to teach this amended language from claim 17.

In order to expedite prosecution, independent claims 22, 30, and 32 have been amended in a similar manner as claim 17. Therefore, at least the same arguments set forth above with respect to the claim 17 apply to these claims as well.

Claims 20 and 21, 24 and 25, and 31 depend from claims 17, 22, and 30, respectively. Therefore, at least the same arguments set forth above with respect to the independent claims apply to the dependent claims as well.

Accordingly, Applicant respectfully requests that this rejection be withdrawn.

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CONCLUSION

Applicant respectfully submits that claims **1, 2, 4, 5, 7-10, 12, 13, 15-17, 20-22, 24-26, 28, and 30-34** are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

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